

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

CHARLES P. RIPLEY

*Plaintiff,*

vs.

BOK FINANCIAL CORPORATION, and  
BOK FINANCIAL SECURITIES, INC.

*Defendants.*

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CASE NO. 3:19-CV-00577-S

**MOTION FOR BRIEF CONTINUANCE OF  
MEDIATION PRESENTLY SET FOR FEBRUARY 25, 2020**

Defendant, BOK Financial Securities, Inc., (“Defendant” or “BOKFS”)<sup>1</sup> requests a brief continuance of the mediation with the Honorable Judge Horan which is currently set for Tuesday, February 25, 2020 by Order Setting Schedule Conference [Doc. 009] and E-Order Resetting Scheduling conference dates January 23, 2020, due to a short setting of a medical procedure for counsel for BOKFS, Erica Dorwart, and procedural issues.<sup>2</sup>

**Certificate of Conference Local Civil Rule 7.1**

1. Counsel for Defendant attempted to meet and confer with Counsel for Plaintiff, Marilyn Lahr, by two emails and a voice message, but was unable to communicate in person with Counsel for Plaintiff.

**The Motion is Presently Opposed Due to Timing and Inability to Reach Plaintiff’s Counsel**

2. The Motion is Presently presumed opposed due to timing and inability to reach Plaintiff’s counsel. Upon information and belief and based upon past courteous working history

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<sup>1</sup> BOK Financial Corporation (the bank holding company) is unopposed to this motion to extend.

<sup>2</sup> Proposed Order at Exhibit 1.

with Plaintiff's counsel, BOKFS believes that Plaintiff would not oppose a brief continuance of the mediation.

### **Grounds for Extension**

As grounds for the Extension, Plaintiff and Defendant state as follows.

3. Plaintiff, Charles Ripley, is an individual current employee of Defendant, BOK Financial Securities, Inc.

4. Mediation is currently scheduled for February 26, 2020 before Judge Horan. [Doc. 009].

5. The trial in this matter is scheduled for August 10, 2020. [Doc. 007 at p. 1].

6. The parties desire that mediation occur before material discovery expenses. The parties are and will be engaging in paper discovery, but have not yet set depositions.

7. Counsel for Defendant, Erica Dorwart, has to undergo a very short set required surgical procedure on February 25, 2020.<sup>3</sup>

### **Request for Brief Continuance of Mediation**

8. Therefore, BOKFS's requests a short continuance of the mediation presently set for February 25, 2020. Counsel for Defendant should be able to attend a mediation as soon as February 27, 2020.

9. Charles Ripley is a current employee of Defendant BOKFS. Therefore, scheduling around Charles Ripley's current employer is not an issue.

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<sup>3</sup> BOKFS has not yet received a pre-conference position paper from Plaintiff. BOKFS is in possession of a settlement demand from October of 2019.

**Proposed Order Granting Extension of Discovery and Dispositive Motion Deadlines**

10. Defendant BOKFS has submitted this same date a clean and signed copy of an Order continuing the mediation to: Scholer\_orders@txnd.uscourts.gov. [Exhibit 1](#).

**Compliance with Rules, Local Rules, and Judge Scholer's Judge Specific Requirements**

11. This Motion is in compliance with rules, local rules, and Judge Scholer's Judge Specific Requirements. See: <http://www.txnd.uscourts.gov/rules-and-orders> and <http://www.txnd.uscourts.gov/judge/district-judge-karen-gren-scholer>.

**Conclusion**

Wherefore, BOKFS respectfully requests that this court enter an order continuing the mediation presented set for February 25, 2020 to a different date in the near future starting as early as February 27, 2020.

Respectfully submitted by,

s/Erica Anne Dorwart  
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**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that on the 20th day of February, 2020 that the undersigned electronically transmitted the forgoing document to the following:

**Marilyn K Lahr**

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*Counsel for Plaintiff*

/s/ Erica Anne Dorwart  
Erica Anne Dorwart